



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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M-7211

May 6, 2003

Karen Hamilton, Chief
Water Quality Unit
U.S. Environmental Protection Agency
999 18th Street, Suite 300
Denver, Colorado 80202-2466

Dear Ms. Hamilton:

This is in response to your May 2 letter, transmitting the biological evaluation on the proposed total maximum daily load (TMDL) to reduce sediment into Big Creek, a tributary of the North Fork of the Flathead River. The biological evaluation analyzes the impacts of the proposed action on the following federally listed species: bald eagle (*Haliaeetus leucocephalus*), bull trout (*Salvelinus confluentus*) and proposed critical habitat, grizzly bear (*Ursus arctos horribilis*), gray wolf (*Canis lupus*), Canada lynx (*Lynx canadensis*), and Spalding's campion (*Silene spaldingii*).

The biological evaluation addresses the potential for adverse impacts to federally listed species by establishing a TMDL target for reducing sediment to Big Creek. The biological evaluation establishes the following effects to each species:

bald eagle; may affect, not likely to adversely affect
bull trout and proposed critical habitat; may affect, not likely to adversely affect
grizzly bear; may affect, not likely to adversely affect
gray wolf; no effect
Canada lynx; no effect
Spalding's campion; no effect

These determinations were based on the proposed TMDL which establishes a fine sediment target (less than 6.4 mm based on McNeil Core sampling) ranging from 23.77% to 30%. It was also noted in the biological evaluation that an additional two TMDL targets have been selected to reduce sediment in the watershed. The second target is to reduce streambank erosion, and the third target is to reduce sediment delivery from upland and stream channel sources. Consequently, approval of this TMDL will help improve ambient water quality.

The Service concurs with your determination of "may affect, not likely to adversely affect," for the aforementioned species, and formal consultation is not required. The Service bases its concurrence on information contained in the biological evaluation and through discussions with staff at the U.S. Environmental Protection Agency and Montana Department of Environmental Quality.

This concludes informal consultation pursuant to regulations 50 CFR § 402.13 implementing the Endangered Species Act (Act). This project should be re-analyzed if new information reveals effects of the action that may affect federally listed species or if the project is modified in a manner that causes an effect not considered in this consultation.

Should you have any questions about this letter or your responsibilities under the Act, please contact Mr. Brent Esmoil of this office at (406)449-5225, extension 215.

Sincerely,



Anne Vandehey
Acting Field Supervisor